

Your Ref.: CFO 15299 TW (SU/KK/SUG)
Our Case No.: 740620
Appln. No.: 90109394
Present Stage: Primary Examination
Type of Notice: Decision of Rejection
Cited References: 2

[Translation of the Notice]

Syllabus:

This application is rejected.

Rejected under:

Patent Law, Article 20, Paragraph 2.

Explanation:

1. The present application entitled "Printing paper, print forming process and printing system" relates to a printing paper comprising a center portion having a curved edge connecting adjacent sides to each other at four corners and outside portion connected to the center portion at at least one straight line portion of the sides, wherein the center portion and the outside portion are connected to each other through a structure by which the printing paper can be cut.
2. It is found that the prior art color label printing paper, as shown in Figs. 13 to 17 of the present application, has disadvantages that it is hard to put into a holder such as a purse, pocket notebook or card case because of the four corner edges of the central portion which are in a squarish form. In the present application the printing paper has a rectangular form having a curved edge at four corners thereof, which is easy to be held without striking on a holder or being caught thereby upon putting the printing paper into the holder. However it is found that the apparatus and method of perforating paper to facilitate paper-cutting has been seen in Taiwanese patent No. 308991 published on June 21, 1997 and No. 327365 published on Feb. 21, 1998. The present application employs the above-mentioned prior art and improves the spatial arrangement on the plain, that is, providing curved corners on the center portion and outside portions. However it is found that providing curved corners so as to avoid scratch against users or other subjects is a well-known measure for mechanical arrangement. The present application merely improves the shape of paper, which shall be easily accomplished by people skilled in the field of perforated easy-cut paper

manufacturing, and therefore is not progressive.

Summing up the above, the present application does not comply with the prerequisite of a patent and thus is rejected under Paragraph 2 of Article 20 of Patent Law.

[TIPLO's Remarks]

1. Digest of the Decision

The Examiner considers that the progressiveness of the present application is not high enough to be granted as an invention patent.

2. Related Legal Provisions

In the Preamble of Paragraph 1 and Paragraph 2 of Article 20 Patent Law, it is stipulated that :

(Article 20)

Any industrially applicable invention may obtain a patent therefor in accordance with this Law if it has none of the following attributes:

Paragraph 1 : (omitted)

Paragraph 2 : Despite of the absence of the situations stated in the preceding paragraph, an invention may not be granted a patent in accordance with this Law if it employs prior art or knowledge in a way people skilled in the same field may easily complete it.

3. Related Patent Examination Guideline

From the Guidelines for Patent Examination issued by Patent Office, an invention is deemed possessing inventive step if it demonstrates a distinguished technical characteristic or significant improvement. So-called "distinguished technical characteristic" refers to an invention which is not easily derived from analyzing, reasoning, nor testing by those skilled in the art on the basis of conventional technology while "significant improvement" refers to the subject invention has overcome the problems or difficulties existed in the conventional technology.

4. Related Patent Practice in Taiwan

If the applicant intends to file a response for re-examination, argument traversing the reasons for rejection set forth are required in order to convince the Examiner that the present application is sufficiently creative (possessing inventive step) and novel to

be granted as an invention patent in view of the prior arts.

5. Technical View Point, Strategy & Tactics

The present application relates to, as also declared by the Examiner, a printing paper comprising a center portion having a curved edge connecting adjacent sides to each other at four corners and outside portions connected to the center portion at at least one straight line portion of said sides, wherein the center portion and the outside portions are connected to each other through a structures by which the printing paper can be cut. This characteristic structure has also been shown in Figs.2 to 12 of the present application.

Cited reference Patent No. 327365 relates to a inside pages structure for photo album, comprising a base layer, on one end of which throughholes being provided binding, the base layer being made of plastic, the top and bottom surfaces being adapted for demonstrating layers with adhesive layer provided therebetween; a plurality of holes being provided on the demonstrating layer for exposing photos, with figures printing on one side and adhesive provided thereon for separable paper to stick on; which is characterized by two cutting lines is provided on the separable paper so as to form a separable first separable region, by taking off the first separable region the demonstrating may fold and stick on the top and bottom surfaces of the base layer, and the adhesive on the backside may hold the photo first and then stick to the base layer; breaking lines are provided on demonstrating layer and the separable paper, such that the demonstrating layer and the separable paper may be disassembled into several units.

Cited references Patent No. 308991 relate to a tape perforating head assembly. The translation of the claims is attached for your reference.

In these two cited patents, no disclosure relating to the characteristic structure as claimed in the present application is shown. However, under the common examination practice in Taiwan, invention without relatively complicated combination of plural elements tends to be catagorized as a utility model invention. Since a utility model patent enjoys substantially the same protection as invention patent does, excepts that the term of patent for utility model patent is 12 years from filing date and 20 years for invention patent, and that no method claim may be included in a utility model patent, we suggest you consider the possibility of converting the present application into one for utility model patent. As to the method claims 9 to 13, we may keep on prosecuting these claims by filing a divisional application based on these claims. It shall also be informed that if you do not want to make the conversion at this time, we will still have at least two opportunities in the

future.

Please inform us of your decision and comments before the due date indicated in the cover letter.

Handed by: J. Y. Lin
DDN: 886-2-2508-6631

經濟部智慧財產局專利核駁審定書

受文者：佳能股份有限公司（代理人：林志剛先生）

地址：台北市南京東路二段一二五號七樓

發文日期：中華民國九十一年七月一日

發文字號：（九一）智專二（四）05083字

第〇九一八三〇一一〇一八號

一、申請案號數：〇九〇一〇九三九四

二、發明名稱：印刷用紙，印刷方法及印刷系統

三、申請人：

名稱：佳能股份有限公司

地址：日本

四、專利代理人：

姓名：林志剛 先生

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五、申請日期：九十年四月十九日

六、優先權項目：

1 2000/04/20 日本2000-119367

專利分類IPC(7)···B41M 1/40

2 2000/04/28 日本2000-130771

七、審查人員姓名：成維華 委員

八、審定內容：

主文：本案應不予專利。

依據：專利法第二十條第二項。

理由：

(一) 本案「印刷用紙、印刷方法及印刷系統」，其包含：一中心部分，具有四角將相鄰側邊互相連接之一彎曲邊緣；外部分，係在該等側邊的至少一個直線部分上連接至該中心部分，其經由可切割印刷用紙之一種結構連接中心部分及外部分。

(二) 查習知的彩色印刷貼紙結構可見如本案說明書圖式第「2」至「4」圖所示者，其缺點在於其中心部分具有四個近似方形角落邊緣，於收藏時難以置入如卡盒或皮包等容器。本案係將中心部分設為四角上有彎曲之邊緣，其在放入容納單元之過程中不會碰觸或卡住容器。惟查於紙張上穿孔並使紙張間容易撕離之裝置及方法可見如一九九七年六月二十一日公告之我國專利第三〇八九九一號或一九九八年二月二十一日公告之我國專利第三二七三六五號，本案主要係運用該習知技術並於平面上的配置形成改良，或於中心部分及外部分之紙張形狀上形成導角，惟查導角或圓弧角於機械設置上屬慣見方法，以避免對人體或其他物件之刮傷，本案僅簡單的將紙張的外形加以改良，實屬熟習撕離穿孔之紙張製

作技術者可輕易完成，難具進步性。

據上論結，本案不符法定專利要件，爰依專利法第二十條第二項，審定如主文。

局長
陳明邦

依照分層負責規定授權單位主管決行

如不服本審定，得於文到之次日起三十日內，備具再審查理由書一式二份及規費新台幣陸仟元整（專利說明書及圖式合計在五十頁以上者，每五十頁加收新台幣五百元，其不足五十頁者以五十頁計），向本局申請再審查。